

NOTICE OF INTENT

Department of Public Safety and Corrections Board of Private Security Examiners

Definitions, Organization, Board Membership, Training,
Investigations (LAC 46:LIX.Chapters 1-8)

Under the authority of the Private Security Regulatory and Licensing Law, R.S. 37:3270 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the executive secretary gives notice that rulemaking procedures have been initiated to amend the Board of Private Security Examiners regulations, LAC 46:LIX:Chapters 1-8 as follows:

Title 46

Part LIX. Private Security Examiners

Chapter 1. Definitions, Organization, Board

Membership and General Provisions

§101. Definitions

A. - B. ...

C. *Emergency Assignment*—any unplanned or unexpected event not covered by a prior contractual agreement.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:751 (December 1987), amended LR 15:846 (October 1989), LR 18:189 (February 1992), LR 22:

§103. Organization, Board Membership and General Provisions

A - I. ...

J. Meetings shall be announced and held in accordance with the Administrative Procedure Act (R.S. 49:950 et seq.), and the Open Meetings Law (R.S. 42:4.2 et seq.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:751 (December 1987), amended LR 15:11 (January 1989), LR 15:846 (October 1989), LR 18:189 (February 1992), LR 22:

Chapter 2. Company Licensure

§201. Qualifications and Requirements for Company Licensure

A. - E.5. ...

6. A certificate of general public liability insurance in an amount as required by law with the state of Louisiana named as an additional insured.

E.7. - J.4. ...

K. Insurance Renewal. On or before the expiration date of the required general liability insurance policy, licensee shall submit to the board a new certificate of insurance in an amount as required by law showing that insurance has been renewed and there has not been any lapse in coverage.

L.1. - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:751 (December 1987), amended LR 15:846 (October 1989), LR 18:190 (February 1992), LR 22:

Chapter 3. Security Officer Registration

§301. Qualifications and Requirements for Security Officer Registration

A. An applicant for security officer registration shall meet all of the qualifications and requirements specified in R.S. 37:3283 in addition to the rules herein.

B. An applicant for security officer registration shall meet all of the qualifications of a licensee as defined in R.S. 37:3276, except:

1. the applicant may be a resident alien;

2. the applicant must be at least 18 years of age if registered unarmed, or if registered to carry a baton;

3. the applicant must be at least 21 years of age if registered armed.

C. Any person who performs the functions and duties of a security officer shall fill out and file with the board an application form provided and approved by the board. The application must be either postmarked or received in the board office within 20 calendar days of the applicant's date of hire.

D.1. - 2. ...

3. non-refundable application fee and fingerprint processing fee;

4. if applicant has worked less than 20 calendar days, documentation must nevertheless be submitted, but without the required fees if a termination form is included showing the dates worked.

E. Applicant must sign the application to certify that the information he is providing the board is correct.

F. - J.1. ...

2. Each company a security officer is employed with shall submit an application marked "dual registration" with the required application fee. The application must be either postmarked or received in the board office within 20 calendar days of the applicant's date of hire.

3. ...

K.1 - 4.f. ...

5. If a registration card is lost or mutilated, registrant is responsible. A \$10 fee will be assessed to issue a replacement card and registrant shall submit in writing to the board his name, social security number, registration card number and circumstances surrounding loss or mutilation of card.

K.6. - M.2. ...

N. Emergency Assignment

1. Unarmed security officers may work emergency assignments a maximum of 20 calendar days within a six month consecutive period.

2. Registration requirements set forth in §301.D.4 apply

3. Armed security officers must be registered with the board and have received all firearms training prior to working an armed post.

O. - P.1. ...

2. If registrant terminates employment with one employer and is reemployed within 30 calendar days in the same classification, the new employer, within 10 days of such reemployment, shall submit to the board a notice of the change on a form prescribed by the board, together with a transfer fee paid by the new employer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:751 (December 1987), amended LR 15:11 (January 1989), LR 15:846 (October 1989), LR 18:191 (February 1992), LR 22:

Chapter 4. Training

§403. Classroom Training

A. - C. ...

D. All scores of such examinations must be recorded and submitted to the board by the licensee or employer, as the case may be, on its prescribed training verification form signed by the licensed instructor within 30 calendar days from completion of training.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 13:751 (December 1987), amended LR 18:192 (February 1992), LR 22:

§405. Firearms Training

A. Armed security officers, in addition to the training requirements outlined in R.S. 37:3284 and in the rules herein, shall complete 12 hours of firearms training and range qualifications by a board-licensed firearms instructor prior to working an armed assignment. Examination scores must be recorded and submitted to the board by the licensee or employer, as the case may be, on its prescribed verification form signed by the licensed instructor within 30 calendar days from completion of training.

B. - C. ...

D. Annual refresher firearms training is due one year from the date of the last firearms training recorded at the board office. The anniversary date will not change if the training is taken within 30 days prior to said date.

E.1. - 3. ...

F. Handgun Proficiency Course. The handgun proficiency course shall have the following requirements:

1. a score of 75 percent required to qualify, 188 points out of 250 points;
2. an approved standard police or security firearms target shall be used;
3. the caliber weapon trained with must be the same caliber weapon the security officer carries while on duty;
4. the handgun course of fire shall be:
 - a. at a distance of four yards:
 - i. 12 shots, unsupported, point shooting, without sights: 45 seconds;
 - (a.) six shots, strong hand only;
 - (b.) six shots, weak hand only;
 - b. at a distance of seven yards:
 - i. two shots, unsupported, two-handed with sights: 5 seconds (indexing these rounds);
 - ii. 12 shots, unsupported, two-handed with sights: 60 seconds;
 - iii. 12 shots, unsupported, two-handed point shooting: 60 seconds
 - c. at a distance of 15 yards:
 - i. 12 shots, barricade, strong hand: 60 seconds;
 - ii. 12 shots, barricade, two handed with sights: 60 seconds;
 - (a.) six shots, standing right barricade;
 - (b.) six shots, standing left barricade.

G.1. - 3. ...

H. Shotgun Proficiency Course. The shotgun proficiency course shall have the following requirements:

1. ...
2. The shotgun course of fire shall be:
 - a. five rounds of buckshot (nine pellets only); 60

percent required to qualify out of 90 points possible on a NRA B-27 target. B-29 target may be used for 25 yards or 15 yards

b. scoring: two points for each hit within the seven ring. One point for each hit outside the seven ring, in the black;

c. at a distance of 15 yards; two rounds, standing from the shoulder: 10 seconds;

d. at a distance of 25 yards; two rounds total from the shoulder; one round standing, two rounds kneeling. Time includes loading time with the shotgun starting from the "cruiser-safe" position (chamber empty, magazine loaded safety on): 20 seconds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 18:192 (February 1992), amended LR 22:

§407. Baton Training

A. - D. ...

E. Security officers trained in baton must successfully pass a written examination administered by a board-licensed baton instructor and achieve a minimum passing score of 70 percent. Examination scores must be recorded and submitted to the board by the licensee or employer, as the case may be, on its prescribed verification form signed by the licensed instructor within 30 calendar days from completion of training.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 18:193 (February 1992), amended LR 22:

§409. Instructor Requirements, Responsibilities and Liability

A. The board shall collect the following instructor fees pursuant to R.S. 37:3286:

1. - 10. ...

B. ...

C. Instructor Responsibilities and Liability

1. An inhouse instructor who is covered under his employer's company insurance policy shall be required to have his employer submit a letter to the board stating that he is covered under the company policy for the teaching of security officers. If not covered under a company insurance policy, an instructor must provide a certificate of general public liability insurance in an amount as required by law with the state of Louisiana named as an additional insured.

C.2 - D.2. ...

E. Insurance Renewal. On or before the expiration date of the general liability insurance policy, instructor shall submit to the board a new certificate of insurance in an amount as required by law showing that insurance has been renewed and there has not been any lapse of coverage.

F. - G.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 18:194 (February 1992), amended LR 22:

Chapter 8. Licensee Suitability, Records, Investigations and Registrant Violations

§805. Investigations

A. ...

B. An investigation conducted by a duly-authorized representative of the board is not to be construed as an

inspection of files as described in §803.C hereof. It is an investigation of alleged violations by a licensee or registrant as a result of a complaint, and is exempt from written and verbal notification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Private Security Examiners, LR 18:195 (February 1992), amended LR 22:

§807. Violations by Registrants

A.1. - 2. ...

3. failure to affix a photograph of registrant, taken within the last six months, to registration card;

4. - 7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Board of Private Security Examiners, LR 18:195 (February 1992), amended LR 22:

These proposed regulations are to become effective upon publication as final rules in the *Louisiana Register*.

All interested persons are invited to submit written comments on the proposed regulations. Such comments should be submitted no later than August 20, 1996, at 4:30 p.m. to Wayne R. Rogillio, Executive Secretary, Louisiana State Board of Private Security Examiners, Box 86510, Baton Rouge, LA 70879-6510.

Wayne R. Rogillio
Executive Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Definitions , Organization, Board
Membership, Training, Investigations
(LAC 46:LIX: Chapters 1-8)**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
Neither costs nor savings to state or local governmental units are involved in these rule changes.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
No effect on revenue collections of state or local governmental units is anticipated from these rule changes.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
No costs or economic benefits to directly affected persons or nongovernmental groups are expected from these rule changes.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
No effect on competition and employment is anticipated from these rule changes.

Wayne R. Rogillio
Executive Secretary
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Richard W. England
Assistant to the
Legislative Fiscal Officer